

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE ALBERTO MARTINEZ HERNANDEZ,
ROBERTO JULIAN and ELIAS ROJAS,
AUGUSTIN VALERIANO, EMILIO JEREMIAS
RAMIREZ ROJAS, and PRIXCO SORIANO,
Individually and on behalf of others similarly
situated,

Index No. 17-civ-2176- ALC

Plaintiffs,

v.

EAST WINGERS INC. (d/b/a BEST WINGERS)
and KUNJ PATEL,

Defendants.

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DECLARATION OF COUNSEL IN REFERENCE TO PLAINTIFFS' MOTION TO BE
RELIEVED AS COUNSEL FOR EMILIO RAMIREZ ROJAS

KEVIN O'DONOGHUE, hereby declares under penalty of perjury pursuant to 28 U.S.C. 1746 that the following is true and correct:

1. I am counsel to the defendants in this action, Kunj Patel and East Wingers Inc.
2. I make this Declaration based upon my review of the papers filed in this action..
3. I have reviewed the motion by Michael Faillace to be relived as counsel for Emilio Ramirez Rojas. Defendants have no objection to counsel withdrawing for this plaintiff, but would ask that the claims of this plaintiff be dismissed either summarily, or within a reasonable time from notice should he not retain counsel to prosecute such claims.
4. We do not wish to have this matter resolved with the exception of one plaintiff's open claims when that plaintiff apparently cannot be located to sign off on the consent judgment.
5. I declare under penalty of perjury under the laws of the United States of America that

the foregoing is true and correct to the best of my knowledge and belief.

Dated: December 18, 2018

New York, New York

By___/s Kevin Sean O'Donoghue___

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